

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

KILLIAN YEATS,

Petitioner,

v.

Civil Action No. 3:24cv296

CHADWICK DOTSON

Respondent.

MEMORANDUM OPINION

Petitioner, a Virginia prisoner proceeding *pro se*, submitted a Rule 60(b) Motion for Relief from Judgment in the United States District Court for the Western District of Virginia. (ECF No. 1 (capitalization corrected).) The Western District construed the motion as a 28 U.S.C. § 2254 petition and transferred it to this Court. (ECF No. 2.) By Memorandum Order entered on April 26, 2024, the Court directed Petitioner, within thirty (30) days of the date of entry thereof, to complete and return the standardized form for filing a § 2254 petition as required by Eastern District of Virginia Local Civil Rule 83.4(A). The Court warned Petitioner that the failure to comply with the above directive would result in the dismissal of the action without prejudice. *See* Fed. R. Civ. P. 41(b).

More than thirty (30) days have elapsed since the entry of the April 26, 2024 Memorandum Order and Petitioner has not responded. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE. A certificate of appealability will be DENIED.

An appropriate Order will accompany this Memorandum Opinion.

Date: 6/12/2024
Richmond, Virginia



M. Hannah Lauck
United States District Judge